

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

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Case No. 4:92-CV-110

Hon. Richard Alan Enslen

**ORDER**

Plaintiffs, through counsel, have moved to modify the Preliminary Injunction issued on October 19, 2005 to add a specific finding to the Injunction that the order is narrowly drawn, extends no further than necessary to correct the probable violation of Plaintiffs' constitutional rights under the Eighth Amendment, and is the least intrusive means necessary to correct the probable violation of those rights because it allows Defendants to design the relief appropriate to address the violation and because the Court has previously provided Defendants with multiple opportunities to address the violation. The language is dictated by a provision of the Prison Litigation Reform Act ("PLRA"), 18 U.S.C. § 3626(a)(1). This finding is probably unnecessary in the Court's view because a sufficient PLRA finding was made at page 11 of the accompanying Opinion, which is referenced by the Preliminary Injunction. However, since this finding was intended by the Court, it will do not harm to explicitly include it within the Preliminary Injunction. Defendants have failed to timely oppose the Motion and the Motion is otherwise just.

**THEREFORE, IT IS HEREBY ORDERED** that Plaintiffs' Motion to Alter or Amend (Dkt. 1918) is **GRANTED** and the Preliminary Injunction shall be so amended *nunc pro tunc*.

DATED in Kalamazoo, MI:  
November 23, 2005

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE